

# **WISHA REGIONAL DIRECTIVE**

**WISHA Services**

**Department of Labor and Industries**

32.99

## **Inspection Guidelines for Post-Emergency *Oil Spill* Response Operations under WAC 296-62-300**

**DATE ISSUED: December 30, 1996**

### **I. Background:**

A final standard for Hazardous Waste Operations and Emergency Response, WAC 296-62-300, became effective on November 24, 1989. In addition to many other safety and health requirements, i.e., Chapter 296-155 WAC, Chapter 296-24 WAC, and other sections of Chapter 296-62 WAC, the standard regulates worker safety and health during post-emergency response cleanups. OSHA Instruction CPL 2-2.51, dated November 5, 1990, was reviewed in the preparation of this WISHA Regional Directive (WRD).

### **II. Scope and Application:**

This WRD provides guidance to WISHA consultation and compliance staff in relation to all employers participating in post-emergency response operations resulting from petroleum crude oil releases on waterways and affected shorelines in Washington State. This directive, which will remain in effect indefinitely, provides procedures and guidelines for ensuring uniform enforcement of training requirements under the Hazardous Waste Operations and Emergency Response standard for employees involved in post-emergency response operations. This WRD incorporates the substance of WRD #91-1, which is hereby repealed.

### **III. Interpretive Guidance**

#### **A. What is the definition of “post-emergency response”?**

The standard defines post-emergency response as “. . . that portion of an emergency response performed after the immediate threat of a release has been stabilized or eliminated and cleanup of the site has begun.” If post-emergency response is performed by an employer's own employees who were part of the initial emergency response, it is considered to be part of the initial response

and not post-emergency response. However, if a group of an employer's employees, separate from the group providing the initial response, performs the cleanup operation, then the separate group of employees would be considered to be performing post-emergency response and subject to WAC 296-62-3112(11).

**B. With what requirements must an employer conducting an oil spill cleanup comply?**

The employer conducting the cleanup must comply with all the requirements in WAC 296-62-3010 through 296-62-3110, WAC 296-62-3120, and the hazardous waste site cleanup requirements as referenced in WAC 296-62-3112(11)(i) unless cleanup is done on plant property using plant or work site employees. Those employees are required to have been previously trained in accordance with WAC 296-24-567(1), Employee Emergency and Fire Prevention Plans; WAC 296-62-071, Respiratory Protection; WAC 296-62-054, Hazard Communication; and other appropriate safety and health training made necessary by the tasks they are expected to perform.

**C. How do oil spill cleanups differ from other similar situations?**

1. Based on experience with the standards during oil spill cleanup on the coasts of Texas, Alaska, and California, the safety and health hazards have been found to vary widely in severity of potential injury or illness.
2. Petroleum spills are unique in that many people who wish to assist with cleanup activity may not engage in the activity on a recurring basis and may not have training or experience, yet for maximum protection of the environment, oil spills dictate that cleanups must be completed as quickly as possible.
3. The U.S. Coast Guard and other concerned parties have requested OSHA and its state-plan partners such as WISHA to allow for flexibility in the amount of employee training required for post-emergency response work.
4. The Department of Labor and Industries has determined, based on experience, that after the oil spill is controlled and wave action has increased the surface area of the material to the point that volatile hazardous component levels are reduced significantly, certain jobs can be classified as "low-risk." For job responsibilities and duties with a low magnitude of risk, fewer than 40 hours of hazardous waste cleanup training may be appropriate for those low-risk, post-emergency response workers. The training required to perform those jobs could be adequately addressed with eight hours of safety and health training for oil spill cleanup operations.

#### IV. Special Inspection Protocols:

WISHA consultation and compliance staff shall follow these guidelines when encountering post-emergency response cleanup activities of oil spills where workers are involved in cleanup tasks.

A. When can employers use workers with fewer than 40 hours of cleanup training?

1. Policy Guidelines: The department will allow employers to use site workers with eight hours of Post-Emergency Oil Spill Response training to perform the “low-risk” job tasks outlined below after the following “Allowance Criteria” have been met. The response training in the appendix is mandatory in order for the employer to take this allowance. Examples of these “low-risk” job tasks include, but are not limited to, general beach scrubbing and cleaning, on-site wildlife handling, decontamination of equipment and other workers, layout and pickup of absorbent materials, and on-site handling of non-contaminated materials.
2. Allowance Criteria: Evidence supporting items (a) through (e) below must be maintained in written format at the spill site command center or other similar central locations. This written evidence must be made immediately available to representatives of the department upon request. This evidence must be compiled prior to having employees with less than 40 hours of training at work on the site.
  - a. Cleanup is performed in an area that has been analytically monitored during actual remediation activities and fully characterized by a qualified safety and health professional.
  - b. Worst case area air monitoring samples must be collected and their results documented. No component and/or component mixture shall exceed one half of its eight hour TWA permissible exposure limit.
  - c. Health risks from skin exposure and absorption are minimal and can be adequately addressed with personal protective equipment wearing requirements.
  - d. Employees must have completed the training requirements of WAC 296-24-567(1) and WAC 296-62-054, including refresher training, as appropriate.

- e. There must be adequate, direct, on-site supervision of “low-risk” employees by supervisory employees who meet the training requirements of 40 or 80 hours as required in WAC 296-62-3040 (3) and (4), and have current refresher training where applicable.

B. What kind of exposure monitoring must the employer carry out?

After the allowance is taken, daily airborne exposure monitoring of actual “low-risk” job tasks shall be conducted and documented. If exposure of any area or person exceeds the criteria in Paragraph A.2.b, the employer must immediately stop the work of the eight hour trained workers in that area and have the area and/or work tasks assessed by a qualified safety and health professional. This assessment will be fully documented and be available for review by the department upon request.

C. What training will be mandatory for these low-risk tasks?

The mandatory training appendix in this document will adequately address the safety and health training needs of “low-risk” oil spill cleanup job tasks. The training specifically excludes respiratory protection and confined space training, since jobs requiring this training are not considered by the department as "low-risk" and part of this allowance procedure. Those jobs require at least 40 hours of hazardous waste training as defined in WAC 296-62-3040. The employer shall maintain documentation and provide to the department upon request, the name of the course sponsor, one copy of the written training materials, qualifications of the instructor(s), and copies of the course certificates or certification cards.

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## **APPENDIX A**

### **Mandatory Requirements**

Post-Emergency Oil Spill Response Training for "Low-Risk" Job Tasks:

1. Workers must attend all eight hours of the course to successfully complete the course.
2. The course sponsor shall issue certificates or cards to workers who successfully complete the course.
3. The course sponsor shall use qualified instructors as defined in WAC 296-62-3040(7).
4. The following training format is mandatory:
  - A. Oil Spill Cleanup and Site Safety and Health Plan Overview  
Class Time: Two hours.  
Minimum Elements:
    - Description of the spill cleanup effort and tasks
    - Summary of Site Safety and Health Plan
    - Contractor's role in cleanup (duties and who they report to)
    - Hazwoper requirements
    - Importance of safety
    - Description of information in the site characterization plan
    - Alcohol, drugs, and firearm policies
    - Wildlife policy
    - Emergency procedures for spills, fires, releases, and other emergencies (includes emergency communication procedures)
    - Buddy system
    - First-aid awareness
    - Sanitary facilities
    - Work rules
    - Site perimeter control procedures
  - B. Potential Hazards of Crude Oil  
Class Time: One hour  
Minimum Elements:
    - Potential inhalation hazards e.g., crude oil vapors, benzene, hydrogen sulfide
    - Potential skin hazards, e.g., PNAs, benzene, dermatitis
    - Potential ingestion hazards
    - Review of MSDS
    - Warning properties, symptoms of overexposures
    - Industrial hygiene air monitoring methods and results (what is personnel sampling, what are the results)
    - Procedures to avoid odor problems
    - Information on chemicals/biological agents used in oil spill cleanup e.g., dispersants, bioremediation organisms, and decontamination agents
  - C. Use of Personal Protective Equipment  
Class Time: One hour  
Minimum Elements:

- Selection of gloves, hats, full body clothing, boots, goggles, face shields, and life jackets
- Donning equipment
- Use to tape
- Tears, rips, and equipment/clothing maintenance
- Removing equipment
- Recognizing symptoms of heat stress

D. Decontamination Procedures and Other Hygiene Practices

Class Time: One Hour

Minimum Elements:

- Hot zone, warm zone, cold zone
- When to decontaminate
- Decontamination procedures for workers, their clothing, and equipment
- Eating, drinking, smoking policies
- Washing hands and face
- Sanitation facilities
- Contaminated clothing
- Emergency showers and eyewash stations

E. First Aid and Reporting Accidents/Illnesses/Injuries

Class Time: One half hour

Minimum Elements:

- Reporting accidents/illnesses/injuries to the supervisor
- Safety personnel
- Location of first aid kit
- Requesting first aid
- Signs and symptoms of heat stress, chemical exposures

F. Safety Procedures

Class Time: One and one half hours

Minimum Elements:

- Slips, trips, and falls
- Use and maintenance of hand tools
- Wildlife safety
- Use of special equipment such as hot water sprays, lifting belts
- Correct lifting procedures
- Electrical sources
- Water hazards (personal flotation devices)
- Use of fire extinguishers
- Personnel transportation

G. Environmental/Special Site Hazard Awareness  
Class Time: One hour

Select Elements:

Hypothermia

Heat stress and exhaustion

Noise

Native plant hazards, e.g., poison oak

Animal/insect bites and stings

Sunburn

Dehydration

Cold stress and frostbite

**POLICY & INTERPRETIVE STATEMENT SUBMITTAL FORM**  
**Legislative and Governmental Affairs**

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**Briefly state the subject matter of the Policy or Interpretive Statement:**

This WISHA Regional Directive provides guidance regarding Post-Emergency Oil Spill Response. The standard defines post-emergency response as “that portion of an emergency response performed after the immediate threat of a release has been stabilized or eliminated and clean-up of the site has begun.”

**CONTACT PERSON (for a copy of the Policy or Interpretive Statement):**

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**Signature of Responsible Official (Assistant Director)**

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**Date WRD, Policy or Interpretive Statement Issued:** \_\_\_\_\_

<p>Please submit this form to the Legislative &amp; Governmental Affairs Office at the end of each month, MS: 44001</p>
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*If you have any questions please contact  
Marie Myerchin-Redifer in the Legislative and Governmental Affairs Office, 902-4205*

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